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17 UNITED STATES DISTRICT COURT
18 FOR THE EASTERN DISTRICT OF CALIFORNIA

19 Peggy Lynn Ginsbach

20 Plaintiff,

21 v.
22

23 Commissioner of Social Security,

24 Defendant.
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Case No. 1:25-cv-00874-SKO

STIPULATION AND UNOPPOSED
MOTION FOR THE AWARD OF
ATTORNEY FEES UNDER THE EQUAL
ACCESS TO JUSTICE ACT (EAJA)
28 U.S.C. § 2412(d)

(Doc. 13)

27 TO THE HONORABLE SHEILA K. OBERTO, MAGISTRATE JUDGE OF
28 THE UNITED STATES DISTRICT COURT:

1 The Parties through their undersigned counsel, subject to the Court's approval,
2 stipulate that Plaintiff be awarded attorney fees in the amount of ONE THOUSAND,
3 TWO HUNDRED SEVENTY TWO DOLLARS and 54/100 (\$1,272.54) under the Equal
4 Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). This amount represents
5 compensation for all legal services rendered on behalf of Plaintiff by counsel in
6 connection with this civil action, in accordance with 28 U.S.C. § 2412(d). Plaintiff attests
7 her net worth has not exceeded, \$2,000,000.00, at the time of the filing of this civil action
8 nor at the present.

9 After the Court issues an order for EAJA fees to Plaintiff, the government will
10 consider the matter of Plaintiff's assignment of EAJA fees to counsel. Pursuant to *Astrue*
11 *v. Ratliff*, 560 U.S. 586, 598, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010), the ability to honor
12 the assignment will depend on whether the fees are subject to any offset allowed under
13 the United States Department of the Treasury's Offset Program. After the order for EAJA
14 fees is entered, the government will determine whether they are subject to any offset.

15 Fees shall be made payable to Plaintiff, but if the Department of the Treasury
16 determines that Plaintiff does not owe a federal debt, then the government shall cause the
17 payment of fees, expenses and costs to be made directly to counsel, pursuant to the
18 assignment executed by Plaintiff. Any payments made shall be delivered to Plaintiff's
19 counsel, Sherianne Laba, at 521 Cedar Way, Suite 200, Oakmont, Pennsylvania 15139.

20 This stipulation constitutes a compromise settlement of Plaintiff's request for
21 EAJA fees, and does not constitute an admission of liability on the part of Defendant
22 under the EAJA. Payment of ONE THOUSAND, TWO HUNDRED SEVENTY TWO
23 DOLLARS and 54/100 (\$1,272.54) in EAJA attorney fees. The reimbursement of costs,
24 not meeting any of the exception waivers provided for by 31 C.F.R. § 208.4, shall be
25 made payable to Plaintiff's counsel, Sherianne Laba, and electronically deposited directly
26 to the bank account of the law firm of Osterhout Berger Daley, LLC as required by 31
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1 C.F.R. § 208.3 and the Bureau of Fiscal Service, Department of the Treasury.

2 These payments shall constitute a complete release from, and bar to, any and all
3 claims that Plaintiff and Plaintiff's attorney, Sherianne Laba, may have relating to EAJA
4 attorney fees in connection with this action.

5 This award is without prejudice to the rights of Plaintiff's attorney to seek Social
6 Security Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause
7 provisions of the EAJA.

8 Respectfully submitted,

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10 Dated: December 15, 2025

/s/ Sherianne Laba
SHERIANNE LABA, ESQUIRE
Attorney for Plaintiff

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12 Dated: December 15, 2025

ERIC GRANT
United States Attorney

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15 By: /s/ Oscar Gonzalez de Llano
OSCAR GONZALEZ DE LLANO
16 Special Assistant United States Attorney
17 Attorneys for Defendant
18 (*Permission to use electronic signature
19 obtained via email on 12/15/25).
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ORDER

Based upon the parties' Stipulation and Unopposed Motion for the Award of Attorney Fees Under the Equal Access to Justice Act (EAJA) (the "Stipulation") (Doc. 13), **IT IS ORDERED** that attorney's fees of ONE THOUSAND TWO HUNDRED SEVENTY TWO DOLLARS and 54/100 (\$1,272.54) under the EAJA are awarded in the amount as authorized by 28 U.S.C. § 2412(d), and subject to the terms and conditions of the Stipulation.

IT IS SO ORDERED.

Dated: **December 17, 2025**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE